IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 14 of 2004(B)

PETITIONER:

JOBINI T.CHACKO, UPPER PRIMARY SCHOOL ASSISTANT, MUNDUR HIGH SCHOOL, MUNDUR P.O. PALAKKAD 678 592.

BY ADV. SRI.V.CHITAMBARESH

RESPONDENTS:
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1. **THE STATE OF KERALA REP. BY THE SECRETARY TO GENERAL EDUCATION (B) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.**

3. **THE DEPUTY DIRECTOR OF EDUCATION, PALAKKAD.**

4. **THE DISTRICT EDUCATIONAL OFFICER, PALAKKAD.**

5. **THE MANAGER, MUNDUR HIGH SCHOOL, MUNDUR P.O. PALAKKAD 678 592.**

6. **BEENA V.K. UPPER PRIMARY SCHOOL ASSISTANT, MUNDUR HIGH SCHOOL MUNDER P.O. PALAKKAD 678 592.**

BY GOVERNMENT PLEADER SRI.MANOJ
SRI.N.RAGHURAJ
SRI.A.V.RAVI
SMT.K.AMMINIKUTTY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.14/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER OF APPOINTMENT DT.2.6.97.

EXT.P2:- COPY OF THE ORDER DT.11.3.98.

EXT.P3:- COPY OF THE ORDER DT.30.3.99.

EXT.P4:- COPY OF THE ORDER DT.15.4.2000.

EXT.P5:- COPY OF THE MEMORANDUM OF REVISION DT.18.5.2000.

EXT.P6:- COPY OF THE LETTER DT.7.3.01.

EXT.P7:- COPY OF THE ORDER DT.21.10.03.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P.(C) No.14 of 2004

Dated 28th March, 2007.

J U D G M E N T

Petitioner is aggrieved since her appointment as UPSA is not approved for the period from 2.6.1997 to 22.3.1998. It is seen from the impugned Ext.P7 order passed by the Government that there was objection with regard to an appointment under Rule 51B Chapter XIV-A K.E.R. According to the petitioner, there was another vacancy for accommodating the 51B claimant and that the claimant had in fact given a no objection with regard to the approval of appointment of the petitioner. There is no counter affidavit. It is seen from the impugned order that the two crucial contentions of the petitioner mentioned above are not referred to in Ext.P7. I quash Ext.P7. There will be a direction to the Government to pass fresh orders in the light of the two contentions referred to above within a period of two months from the date of production of a copy of the judgment, with notice to the petitioner and any other affected party. The consequential benefits if any, to which the petitioner is found eligible shall also be disbursed within another one month.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

OP NO. 2

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 28th March, 2007.